

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

CHAMBER SUMMONS NO.1531 OF 2006
IN
SUIT NO.3429 OF 1991

Oshiwara Land Development Co. Pvt. Ltd. & Ors. ...Plaintiffs.
Vs.
State of Maharashtra & Ors. ...Defendants.
And
Shailendra Eknath Kamble. ...Applicant.

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Mr.S. K. Sen i/b. M/s.Sanjay Udeshi & Co. for the Applicant.
Mr. S. S. Parekh with Mr. V. R. Dhond i/b. M/s.Mahimtura & Co.
for the Plaintiffs.
Mr. E. P. Bharucha with Ms. Mamta Sudh for Defendant Nos.1 and
5.

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CORAM : DR.D.Y.CHANDRACHUD, J.

December 11, 2006.

P.C.

The suit has been placed on Board for filing Consent Terms. At this stage, the attention of the Court has been drawn to the order passed by the Division Bench on 16th November 2006 in Writ Petition 1898 of 1999. By the order of the Division Bench, the Petitioners before the Court in those proceedings were permitted to file an application for intervention in the suit. The Division Bench held that the Petitioners should be allowed to intervene in

the civil suit and that the application filed by them be considered in the background of the observations of the Court. Having regard to the fact that the suit is now placed on Board, bearing in mind the provisions of Rule 157 of the High Court Original Side Rules, I am of the view that it would be appropriate for this Court to permit the applicant to intervene in the proceedings. That is also mandated by the order of the Division Bench dated 16th November 2006. The application for intervention, it must be stated, has fairly not been opposed either on behalf of the State Government or on behalf of the Plaintiffs. In the circumstances, the application for intervention is allowed. The Chamber Summons is made absolute in terms of prayer clause (a). Counsel appearing on behalf of the Plaintiffs has tendered a complete set of papers to the Counsel appearing on behalf of the Applicant along with Consent Terms. Counsel appearing on behalf of the Applicant states that an affidavit will be filed by 16th December 2006. To be placed on 19th December 2006 at 3 O'clock.

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